

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JOHN ELDRIDGE CONE,**

**Defendant.**

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**Case No. 05-CR-0022-CVE**

**OPINION AND ORDER**

Now before the Court is defendant's Motion for Expert Services (Dkt. # 85), requesting Court authorization for the distribution of funds for expert services. Defendant seeks funds for retesting of the quantity and purity of certain drugs seized during the search of his residence.

By statute, the Court is permitted to authorize up to \$1600 in compensation for expert services, unless additional compensation is "necessary to provide fair compensation for services of an unusual character or duration." 18 U.S.C. § 3006A(e)(3). Defendant seeks up to \$500 for such testing. Clearly, the test results are critical to the decision defendant must make as to whether to proceed to jury trial and the consequences of a guilty plea.

**IT IS THEREFORE ORDERED** that, pursuant to 18 U.S.C. § 3006A(e), defendant's motion (Dkt. # 85) is **granted** insofar as it requests funding of up to \$500 for expert services, including any prepayment which is required. Defense counsel is directed to complete and submit immediately an Authorization and Voucher for Expert and Other Services, CJA Form 21.

**DATED** this 3rd day of October, 2005.

  
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CLAIRE V. EAGAN, CHIEF JUDGE  
UNITED STATES DISTRICT COURT